Full and Effective Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects: Enhancing International Cooperation and Assistance

Working Paper submitted by Indonesia on behalf of member States of the Non-Aligned Movement

1. Member States of the Non-Aligned Movement (NAM) are deeply concerned over the illicit manufacture, transfer, and circulation of Small Arms and Light Weapons (SALW) and their excessive accumulation and uncontrolled spread in many regions of the world with its wide range of humanitarian and socio-economic consequences, as well as the close link between terrorism, organized crime, trafficking in drugs and precious minerals and the illicit trade in small arms and light weapons. Accordingly, the Movement stresses the urgency of international efforts and cooperation aimed at combating this illicit trade and in this context, reaffirms the total validity and vital importance and the need for full and effective implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA), as the main international framework to prevent, combat and eradicate the illicit trade in SALW.

2. In the context of the effective implementation of the Programme of Action, NAM urges all States to respect the international law and the purposes and principles enshrined in the Charter of the United Nations, including the sovereign equality of States, territorial integrity, the peaceful resolution of international disputes, non-intervention and non-interference in the internal affairs of States. NAM further reaffirms the right of each State to manufacture, import and retain small arms and light weapons for its self-defence and security needs, in exercising its inherent right to individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations.

3. NAM emphasizes that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects and, accordingly, should intensify their efforts to define the problems associated with such trade and find ways of resolving them. In this context, the Movement stresses in particular the importance of international efforts and cooperation aimed at combating this illicit trade simultaneously from both a supply and demand perspective.

4. The Movement recognizes the need to establish and maintain controls over private ownership of small arms. The NAM Member States call on all States, in particular major producing States, to ensure that the supply of small arms and light weapons is limited only to Governments or to entities duly authorized by Governments and also to take all necessary measures at the national level for preventing, combating and eradicating the illicit trade of small arms and light weapons in all its aspects.

5. The Movement reaffirms the vital importance of the Programme of Action as a robust international document which is essential in mobilizing the political will at the
international level to address the multi-faceted challenges of the illicit trade in small arms
and light weapons. Against this background, the Movement stresses that international
assistance and cooperation is critical for proper implementation of the Programme of
Action and encourages all initiatives by States to mobilize resources and expertise as well
as to provide assistance to strengthen the full implementation of the PoA. Accordingly,
NAM underlines the importance of rendering actual and continued unconditional and
non-discriminatory assistance to developing countries, upon their request, to promote
their capacity to effectively implement the provisions of the Programme of Action.

6. NAM calls for the full implementation of the International Instrument to Enable
States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and
Light Weapons the purpose of which, inter alia, is to promote and facilitate international
cooperation and assistance in marking and tracing and to enhance the effectiveness of,
and complement, existing bilateral, regional and international agreements to prevent,
combat and eradicate the illicit trade in small arms and light weapons in all its aspects.

7. The Movement is of the view that the availability of international assistance to
support the implementation of the Programme of Action is still not sufficient and not
commensurate with the needs of the affected countries, taking into account the growing
magnitude of the illicit trade in small arms and light weapons in all its aspects and the
danger it continues to pose. An equally important and related issue concerns how the
scale and effectiveness of such international assistance can be improved. Hence, there is a
need for indicators to evaluate whether the assistance provided upon request was
adequate.

8. International cooperation and assistance is an essential aspect in the full
implementation of the Programme of Action. The Programme of Action provides a wide
range of commitments to assist Member States to implement its provisions. As stipulated
in the Programme of Action, States, international and regional organizations in a position
to do so are encouraged to seriously consider rendering cooperation and assistance,
including technical and financial assistance to developing countries upon their request.

9. In this regard, the Non-Aligned Movement would like to propose the following
recommendations for the consideration of the Preparatory Committee and its
incorporation in the outcome document of the 2012 United Nations Conference to
Review Progress Made in the Implementation of the Programme of Action to Prevent,
Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its
Aspects:

a. Developed States and international and regional organizations should, upon
request of the developing countries, render cooperation and assistance,
particularly technical and financial assistance, without conditionalities, in the
following areas relating to the implementation of the PoA: (i) weapons
collection/destruction; (ii) disarmament, demobilization and reintegration,
including the effective collection, control, storage and destruction of weapons,
particularly in post-conflict situations; (iii) stockpile management, marking,
tracing and record-keeping; (iv) transborder customs cooperation and networks for information-sharing among the customs, law enforcement, and border control agencies; (v) cooperation in maritime border surveillance in conformity with international law; (vi) capacity-building, public awareness, education and confidence-building programmes; (vii) legislation; (viii) national coordination; (ix) transparency; (x) and preparation of national reports;

b. States, in particular developed countries, should increase the channeling to developing countries, upon their request, of capacity-building, training and equipments such as mobile X-ray gates, body scanners, advanced radar systems for border control and protective means like bullet-proof jackets, to law enforcement agencies, cross-border cooperation and operation, mutual legal assistance and information-sharing and exchange;

c. States, in cooperation with appropriate international and regional organizations, including the three UN Regional Centres for Peace and Disarmament, should consider establishing and improving mechanisms, such as trust fund arrangements, under the auspices of the United Nations, for the mobilization of reliable assistance to developing countries upon their request for the implementation of programmes to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects;

d. Major arms exporting countries and States in a position to do so should provide to developing countries, upon their request, the necessary technology, equipment and requisite training to improve marking, tracing, record-keeping and destruction of small arms and light weapons for the effective implementation of the Programme of Action and the International Tracing Instrument;

e. The United Nations Institute for Disarmament Research, in collaboration with the relevant United Nations agencies, should be requested to continue carrying out studies on i) the financial and technical needs of developing countries for full implementation of the Programme of Action; ii) the quantum of financial and technical assistance provided since 2001 and its impact on the capacities of States to implement the PoA, and to submit them for consideration and further action by Member States;

f. Establish a mechanism within the United Nations that provides online access for developing countries to the technical studies and academic research related to small arms and light weapons in addition to those that are already available;

g. There should be reports by those developed States on their PoA-implementation specific financial and technical assistance, including the provision of relevant equipment, provided to developing countries. Such assistance should not be based on reallocation of resources devoted to economic and social development programmes. The UNODA is requested to
compile these reports annually, subject to deliberation and evaluation by Member States, especially beneficiaries, during the Biennial Meeting of States.